

EXHIBIT 1

CONFIDENTIAL

In accordance with a protective order, the enclosure(s) shall be treated as confidential and shall not be shown to any person other than those persons designated in paragraph 8.2 of the paragraph order.

FRBKC's Objections to Custodia's Statement of Material Facts Not In Dispute

Paragraph of Custodia Statement of Facts	Response of the Federal Reserve Bank of Kansas City
1	Undisputed.
2	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 24-28, 53, 56.
3	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 24-28, 53, 56, and footnote 6.
4	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 24-28, 53, 56, and footnote 6.
5	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 24-28, 53, 56, and footnote 6.
6	Disputed, <i>see</i> Mot. Statement of Facts ¶¶ 63, 99, and footnotes 8, 10, and 11.
7	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 63, 79, 99, and footnotes 8, 10, and 11.
8	Undisputed.
9	Disputed; <i>see</i> Mot. Statement of Facts ¶ 5, and footnote 3.
10	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 18-22, 49, 51.
11	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 68-71, and footnote 12.
12	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 1-11, 56-63, 68-71, and footnote 12.

Paragraph of Custodia Statement of Facts	Response of the Federal Reserve Bank of Kansas City
13	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 56-63.
14	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 56-63, 69, 77-78, 81-85, 91, and footnote 12.
15	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 18-22, 47-51, 56-71.
16	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 59-62, 85, and footnote 22.
17	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 59-62, 85, and footnote 22.
18	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 12-15, 86-92, 94, 97, and footnotes 13, 24, and 26.
19	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 86-92, 94, 97, and footnotes 13, 24, and 26.
20	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 86-92, 94, 97, and footnotes 13, 24, and 26.
21	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 59-62, 86-92, 94, 97, and footnotes 13, 24, and 26.
22	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 86-92, 94, 97, and footnotes 13, 24, and 26.
23	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 86-92, 94, 97, and footnotes 13, 24, and 26.
24	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 98-101.

Paragraph of Custodia Statement of Facts	Response of the Federal Reserve Bank of Kansas City
25	Undisputed except for the last sentence, which is disputed as inadmissible hearsay. (Note: FRBKC disputes other facts presented in Custodia's Statement of Facts on hearsay grounds as well, but calls this one out specifically because it is the sole basis for the dispute.)
26	Disputed; <i>see</i> Mot. ¶¶ 72-80, 90, 98-101.
27	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 47-51, 72-85, 90, 98-101, and footnote 25.
28	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 72-80, 98-101, and footnotes 14 and 25.
29	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 22, 64-67, 72-80, 90, 98-101, and footnotes 14 and 25.
30	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 22, 64-67, 72-80, 90, 98-101, and footnotes 14 and 25.
31	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 22, 64-67, 72-80, 90.
32	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 22, 64-67, 72-80, 90.
33	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 22, 64-67, 72-80, 90.
34	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 93-97.
35	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 93-97.

Paragraph of Custodia Statement of Facts	Response of the Federal Reserve Bank of Kansas City
36	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 93-97.
37	Disputed; <i>see</i> Mot. Statement of Facts, ¶ 94
38	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 93-97, and footnote 24.
39	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 50, 79-85, 93-97, and footnote 24.
40	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 62, 93-97, and footnote 24.
41	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 93-97, and footnote 24.
42	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 93-97, and footnote 24.
43	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 12-22, 93-97, and footnotes 21 and 24.
44	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 54-55, 58-63, 79-85, 94-96.
45	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 54-55, 58-63, 79-85, 94-96.
46	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 83-84.

Paragraph of Custodia Statement of Facts	Response of the Federal Reserve Bank of Kansas City
47	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 83-84.
48	Disputed; <i>see</i> Mot. Statement of Facts, ¶¶ 54-55, 58-66, 79, 81-85, 94-96.
49	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 36, 38, 63, and footnote 15.
50	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 12-15, 18, 50-51, 76-79.
51	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 58, 62-63, 76-85, 91-92, 94-96.
52	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 58, 62-63, 76-85, 91-92, 94-96.
53	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 58, 62-63, 76-85, 91-92, 94-96.
54	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 58, 62-63, 65-70, 76-85, 91-92, 94-96.
55	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 79, 95
56	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 94-97 and Board Brief (addressing “final agency action”).
57	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 80, 99-101, and footnotes 14 and 15.

Paragraph of Custodia Statement of Facts	Response of the Federal Reserve Bank of Kansas City
58	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 80, 99-101, and footnotes 14 and 15.
59	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 36, 38, 63, 68, 78-85, 100, and footnotes 10 and 11.
60	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 4-5, 12-15, 18-23, 48, 89-91, and footnotes 3 and 4.
61	Disputed; <i>see</i> Mot. Statement of Facts ¶ 38, 77, 78, 101, and footnotes 14 and 25.
62	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 64-70, 72-79, 101.
63	Disputed; <i>see</i> Mot. Statement of Facts ¶¶ 64-70, 72-101, and footnotes 14, 23, 24 and 25.